

**THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
CENTRAL DIVISION**

**JENNIFER BEASLEY, DR. KIFFANY PRIDE,  
LAURA SHIRLEY, AND NICOLE TOWNSEND**

**PLAINTIFFS**

**v.**

**No. 4:18-cv-00508-DPM**

**DR. CHARLES MCNULTY, in his official capacity  
as Superintendent of Schools of the Pulaski County  
Special School District; the BOARD OF DIRECTORS  
of the Pulaski County Special School District; and the  
PULASKI COUNTY SPECIAL SCHOOL DISTRICT,  
a public body corporate**

**DEFENDANTS**

**BRIEF IN SUPPORT OF MOTION TO STRIKE DEFENDANTS' REPLY  
TO PLAINTIFFS' RESPONSE TO MOTION FOR SUMMARY  
JUDGMENT AND MEMORANDUM BRIEF IN SUPPORT**

**I. BACKGROUND**

Plaintiffs move to strike the Defendants' Reply to Plaintiffs' Response to Motion for Summary Judgment and Memorandum Brief in Support. They do so because Defendants' filing was untimely according to Local Rule 7.2(b).

**II. ARGUMENT**

"District courts have broad discretion to set filing deadlines and enforce local rules." *United States v. Ouachita Gravel Company, Inc.*, 2019 WL 5309118, at \*3 (W.D. Ark. October 21, 2019) (slip opinion) (quoting *Reasonover v. St. Louis County, Mo.*, 447 F.3d 569, 64 Fed.R.Serv.3d 1122 (8th Cir. 2006)). According to Fed. R. Civ. Pro. 6(b), the time for filing a document may be extended even after the deadline has passed if a party shows excusable neglect.

On July 13, 2020, Plaintiffs filed their responses to Defendants' Motion for Summary Judgment and Memorandum Brief in Support. (Docs. 41-42.) The deadline for Defendants to file a reply was seven days later or July 20, 2020. Local Rule 7.2(b). Instead, Defendants filed their

reply one day later on July 21, 2020. (Doc. 43.) Their reply was untimely. Defendants failed to request an extension of time from the Plaintiff or file the applicable motion with the Court. They also have not put forth an argument for excusable neglect. Therefore, Defendants' reply should be struck by the Court. *Id.*

### **III. CONCLUSION**

Based upon the foregoing argument, the Court should strike Defendants' Reply to Response to Motion for Summary Judgment and Memorandum Brief in Support.

Respectfully submitted,

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